

UNITED STATES DISTRICT COURT NORTHERN
DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
v.

STACEY
BYRNE,

Defendant.

Criminal Action
No. 5:07-MJ-0139
(GHL)

APPEARANCES:

HON. GLENN T. SUDDABY
United States Attorney for the Northern
District of New York Counsel for the
United States of America 100 S. Clinton
Street Syracuse, New York 13261-7198

OFFICE OF THE FEDERAL PUBLIC
DEFENDER Counsel for Defendant The Clinton
Exchange, 3rd Floor 4 Clinton Square Syracuse,
New York 13202

GEORGE H. LOWE, United States Magistrate
Judge

OF COUNSEL:

RANSOM P. REYNOLDS III, ESQ.
Assistant U.S. Attorney

JAMES F. GREENWALD, ESQ.

ORDER AND RECOMMENDATION

Senior United States Probation Officer Ellen Phillips filed an Amended Declaration, dated September 20, 2007, alleging that Defendant violated a condition of her release, i.e., that she refrain from the use of a narcotic drug and other controlled substances. (Dkt. No. 10.) A revocation hearing was held on September 21, 2007, and Defendant admitted this violation. In addition, I found, and stated on the record, that it is unlikely that Defendant will abide by any condition or combination of conditions of release.

ACCORDINGLY, it is hereby

ORDERED that the Order Setting Conditions of Release dated May 18, 2007 (Dkt. No.

3) is revoked ; and it is further

ORDERED that Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding; and it is further

RECOMMENDED that Defendant participate in the High Impact Incarceration Program at the Onondaga County Penitentiary, Jamesville, New York.

Dated: September 24, 2007
Syracuse, New
York

A handwritten signature in black ink, appearing to read "George H. Lowe", written over a horizontal line.

George H. Lowe
United States Magistrate Judge

